

**CITY COUNCIL
BUSINESS MEETING MINUTES
September 18, 2012**

The Business Meeting of the Monroe City Council was held on September 18, 2012, in the Council Chambers at City Hall. Mayor Robert Zimmerman called the meeting to order at 7:00 p.m.

Councilpersons present: Goering, Cudaback, Williams, Kamp, Davis, and Hanford.

Councilperson(s) absent: Gamble

Staff present: Brazel, Feilberg, Warthan, Nelson, Quenzer, Ginnard, Sax, Popelka, and Martinson.

City Attorney Zach Lell was also present.

The meeting was opened with the Pledge of Allegiance.

ANNOUNCEMENTS & PRESENTATIONS

1. Council Training: WCIA/Lew Leigh

Mayor Zimmerman introduced Lew Leigh from WCIA, the City's insurance carrier, who presented *Council Do's and Don'ts*. Mr. Leigh explained ethics/legal issues and what WCIA does for municipalities. He explained the roles of Mayor and Council, and gave examples of when WCIA would and would not defend elected officials and municipalities. He explained about some lawsuits in which WCIA has been involved. He also shared actions from elected officials from other municipalities that created legal issues.

EXECUTIVE SESSION

- 1. Executive Session: Pertaining to Potential Litigation**
- 2. Executive Session: Pertaining to Pricing of Property**

Mayor Zimmerman explained that there was a need to go into two executive sessions for approximately 20 minutes (for first item), for: 1. purposes of discussing potential litigation with counsel, pursuant to RCW 42.30.110 1(i) and, 2. to consider the minimum price at which real estate will be offered for sale or lease, pursuant to RCW 42.30.110 1(c), as read into the record by City Attorney Lell. Action is expected in open session.

MEETING RECESSED INTO EXECUTIVE SESSION: 7:40 p.m.

EXECUTIVE SESSION WAS EXTENDED

MEETING RECONVENED INTO REGULAR SESSION: 9:47 p.m.

No action was taken after Council reconvened into regular session.

COMMENTS FROM CITIZENS

Joel Phillips 55 Center Drive asked Council if they had gotten funding for video cameras in the Council Chambers, yet. City Administrator Brazel explained that the equipment the City had before had broken down and there is no funding available for replacement. Other municipalities have production staff that runs their equipment for Council meetings.

CONSENT AGENDA

Mayor Zimmerman explained that they were pulling Consent Agenda Items #5 and #6 for discussion.

1. **Minutes**
 - A. **September 4, 2012 Business Meeting**
 - B. **September 11, 2012 Study Session**
2. **Accounts Payable & Payroll**
 - A. **Bills**
 - B. **Payroll**
3. **Accept the Public Works Contract Ingraham Transmission Main Project and Begin the 45-Day Lien Period**
4. **Accept the Public Works Contract Woods Creek Water Main Relocation Project and Begin the 45-Day Lien Period**

The motion was made by Councilperson Goering and seconded by Councilperson Hanford, to approve Consent Agenda items #1, 2, 3, and 4 (as listed above). On vote,

Motion carried 6/0.

5. Resolution Authorizing Mayor to Sign Senior Center Lease Agreement

City Administrator Brazel explained that a change needs to be made to the Lease Agreement. Fair market rent value needs to be added in Paragraphs #14.2(b) and #17.2, to reflect the fair market value for rent, should the Senior Center leave the building.

City Attorney Lell explained why the City is able to charge only \$1.00 per year. The new Lease needs to indicate the fair market rate for rent and a multiplier to ensure market value in a few years is still close.

Staff will research fair market rent value and bring the lease back for final action.

- ## **6. Authorize Settlement Agreement with AT&T (New Cingular Wireless)**
- Councilpersons Kamp and Goering departed Council Chambers at 9:58 p.m., as they are employed by AT&T.

City Attorney Lell explained that this is a Settlement Agreement at 70 cents on

the dollar, reducing and absolving the City from the claim. Other municipalities are continuing to fight the lawsuit. This settlement will take the City out of it completely.

The motion was made by Councilperson Cudaback and seconded by Councilperson Williams, to authorize the settlement agreement. On vote,

Motion Carried 4/0.

Councilpersons Kamp and Goering returned to Council Chambers at 10:00 p.m.

The motion was made by Councilperson Hanford and seconded by Councilperson Kamp, to extend the meeting past 10:00 p.m. On vote,

Motion carried 6/0.

NEW BUSINESS

1. Report: Estimated Revenue for 2012

Finance Director Nelson gave a brief overview of the Estimated Revenue for 2012, explaining where revenues come from (three revenue streams). REET revenue is better than anticipated; however, the funds are restricted for Capital projects. She continued on to explain the remaining expected revenue.

FINAL ACTION

1. Adopt 2013 Comprehensive Plan Amendment Schedule

Planning and Permit Manager Popelka explained that they are asking for Council direction for the Comp Plan Docket and projected schedule.

Economic Development Manager Sax explained that Monroe has the lowest discount on school mitigation fees of all of the jurisdictions in Snohomish County. Builders will go where they can build the best house for the best price. He explained the two-part plan in changing the school mitigation fees.

After discussion, the motion was made by Councilperson Kamp and seconded by Councilperson Davis, to proceed with consideration of the following 2013 Comprehensive Plan Docket and projected schedule:

1. CPA2013-A Comprehensive Plan Text Amendments
2. CPA2013-B City Gateway Districts
3. CPA2013-C System Plan Updates
4. CPA2013-D School Mitigation Fees

On vote,

Motion carried 6/0.

COUNCILMEMBER REPORTS

Councilperson Cudaback reported on the Swift Night Out event; it was well attended by many people, including people from out of state.

Councilperson Williams reported on a tour of the prison that he and Councilpersons Goering and Davis had through the *Citizens Academy* program. He encouraged other Councilmembers to attend the *Citizen Academy* in the future.

Councilperson Davis agreed with that sentiment.

Planning and Permit Manager Popelka clarified a point in the budget. \$260,000 of the revenue is for professional services and is a "pass-through" and is balanced by \$260,000 in expenses; so, it skews the budget numbers for planners.

Mayor Zimmerman explained that he will be out of town starting Wednesday and returning Monday. Any business needs will be covered by Councilperson Goering.

MAYOR/ADMINISTRATIVE STAFF REPORTS

1. Draft Agenda/October 2, 2012 Business Meeting

City Administrator Brazel presented the draft agenda for October 2, 2012.

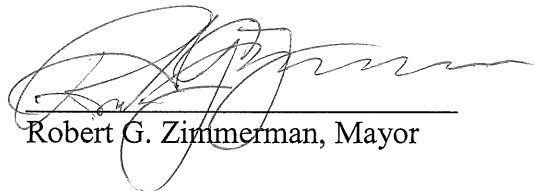
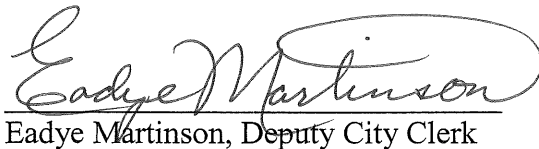
The Senior Center Lease will be added to the October 2nd agenda for final action.

ADJOURNMENT

There being no further business, the motion was made by Councilperson Hanford and seconded by Councilperson Goering, to adjourn the meeting. On vote,

Motion carried 6/0.

MEETING ADJOURNED: 10:22 p.m.


Robert G. Zimmerman, Mayor
Eadye Martinson, Deputy City Clerk